

CPA 1/3  
GAO 2711  
12/CPA  
5-18-00

REQUEST FORM FOR CONTINUED PROSECUTION APPLICATION  
UNDER 37 CFR 1.53(d)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 381NT/43975  
Prior Appln. Ser. No.: 08/990,026  
Filed: December 12, 1997  
Inventor(s): Tomochika OZAKI et al.  
Examiner: R. Brown  
Group: 2711

Box CPA  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

RECEIVED  
MAY 16 2000  
TC 2700 MAIL ROOM

This is a request for filing a X continuation or         
divisional application under 37 CFR 1.53(d) of the prior  
application identified above.

The above-identified prior application, in which no payment  
of the issue fee, abandonment of, or termination of proceedings  
has occurred, is hereby expressly abandoned as of the filing date  
of this new application. Please use the prior application file  
jacket and all the contents of the prior application, including  
the specification, drawings, and oath or declaration as the basic  
papers for the new application.

- \_\_\_\_\_ 1. Please enter the unentered amendment previously  
filed on \_\_\_\_\_ under 37 CFR 1.116,  
in the prior application.
- \_\_\_\_\_ 2. A preliminary amendment is enclosed.
- \_\_\_\_\_ 3. This application is filed by fewer than all the  
inventors named in the prior application:
- a. \_\_\_\_\_ Delete the following inventor(s) named  
in the prior application: \_\_\_\_\_

05/15/2000 SLUANG1 00000014 08990026

01 FC:131

690.00 OP

b. \_\_\_\_\_ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

\_\_\_\_\_ 4. A new Power of Attorney is enclosed.

\_\_\_\_\_ 5. Small entity status:

a. \_\_\_\_\_ A small entity statement is enclosed.

b. \_\_\_\_\_ A statement of small entity status was filed on \_\_\_\_\_ in the prior application and status as a small entity is still proper and desired.

c. \_\_\_\_\_ Is no longer claimed.

  X   5. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above:

CLAIMS AS FILED, INCLUDING ANY CLAIMS  
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT

Basic Fee		\$345		\$690
Total Claims	<u>  3  </u> - 20 = _____ x 9 = \$_____	18 = \$_____		
Ind. Claims	<u>  3  </u> - 3 = _____ x 39 = \$_____	78 = \$_____		
_____ Multiple Dependent Claims	+ 130 = \$_____	260 = \$_____		
	Total	\$_____		\$690.00

\_\_\_\_\_ 6. Please charge my Deposit Account No. 05-1323 (Docket #\_\_\_\_\_) in the amount of \$\_\_\_\_\_.

  X   7. A check in the amount of \$690.00 to cover the filing fee is enclosed.

  X   8. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #381NT/43975).

  X   9. Priority of Appln. No. 8-333848, filed in Japan on December 13, 1996, is hereby claimed under 35 U.S.C. 119.


- X   10. A certified copy of each said priority document was filed in application Serial No. 08/990,026 on December 12, 1997.
- X   11. The prior application is assigned of record to Hitachi, Ltd.
- X   12. The power of attorney in the prior application is to:
- James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169
- X   a. The power appears in the original application papers in the prior application.
- \_\_\_\_\_ b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- \_\_\_\_\_ c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- X   d. Address all future correspondence to:
- EVENSON, McKEOWN, EDWARDS  
& LENAHAN, P.L.L.C.  
1200 G Street, N.W.  
Suite 700  
Washington, DC 20005
- \_\_\_\_\_ 13. Return Receipt Postcard.
- X   14. Other: Three Month Petition for Extension of Time, including a check in the amount of \$870.00

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.53(d) application pursuant to 37 CFR 1.14, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136 in parent application Serial No. 08/990,026, filed December 12, 1997. Please charge any shortage in fees due in connection with the filing of this new Rule 53(d) application, including extension of time fees in the parent application, to Deposit Account No. 05-1323 (Docket #381NT/43975), and please credit any excess fees to such deposit account.

Respectfully submitted,

Date: May 12, 2000

  
Jeffrey D. Sanok  
Registration No. 32,169

JDS:ps